

MINUTES OF SEA CLIFF VILLAGE BOARD
February 13, 2017

The meeting of the Incorporated Village of Sea Cliff was held on Monday, February 13, 2017, at 7:00 p.m. at Village Hall to discuss various Village matters.

Present: Kevin McGilloway, Deputy Mayor
Dina Epstein, Village Trustee
Jeffrey Vitale, Village Trustee
Robin Maynard, Village Trustee
Brian Stolar, Village Attorney
Pat Guy, Deputy Village Clerk

Absent: Edward Lieberman, Mayor
Marianne Lennon, Village Clerk

Welcome to the Board Meeting of February 13, 2017

Scott Whiting led the audience in the Pledge of Allegiance.

The first order of business was a Public Hearing to consider the application of NFRP Catering, Inc. d/b/a Sea Cliff Manor for renewal of a cabaret license for a period of three years.

The Public Hearing was opened for Public Comment. Nick Pellegrino from Sea Cliff Manor was present.

No comments.

On a motion by Trustee Maynard, seconded by Trustee Epstein and unanimously approved by those present, the Public Hearing was closed.

Deputy Mayor McGilloway offered the following resolutions for adoption:

RESOLUTION NO. 10, YEAR 2017

FINDINGS OF FACT

1. **NFRP Catering, Inc. d/b/a/ Sea Cliff Manor** has applied to the Board of Trustees for a renewal license pursuant to Chapter 50 of the Code of the Village of Sea Cliff (the "Village Code") to conduct, maintain or operate, or engage in the business of conducting, maintaining or operating, a cabaret, discotheque, or similar place of entertainment at premises located at 395 Prospect Avenue, Sea Cliff, New York (the "Subject Premises"), which is part of premises designated as Section 21, Block 193, Lots 1, 2 and 14, inclusive, on the Nassau County Land and Tax Map (the "Property").
2. Applicants have requested a license for Mondays through Saturdays from 10am – 1am and Sundays from 10am – 12am.

CONCLUSION OF LAW AND LICENSE CONDITIONS

1. To use the Premises as proposed, an application must be made for a license pursuant to Chapter 50 of the Village Code.
2. The Board has considered the application and the testimony presented at the public hearing, and finds that the application should be granted subject to the conditions set forth herein.
3. The Board hereby directs the Village Clerk to issue a License to applicant NFRP Catering, Inc. d/b/a Sea Cliff Manor pursuant to the provisions of Village Code chapter 50, subject to the following conditions:

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- a. The music shall be performed at a sufficiently low volume so as to permit persons located directly outside the building to speak in a modulated voice and be heard by others with whom they are conversing over the volume of the music. Sound proofing material, devices, or modifications shall be added as necessary to satisfy this condition, and such sound proofing material shall be subject to review and approval of the Superintendent of Buildings.
- b. Music shall be permitted on Mondays through Saturdays from 10am – 1am and Sundays from 10am – 12am.
- c. No dancing area shall be created outdoors, and the applicant shall not encourage outdoor dancing in connection with any music.
- d. Except as otherwise permitted herein, all music shall be performed inside the restaurant, and all musicians and equipment shall be located inside the restaurant.
- e. Except as a musical performance typical for a private party, no shows or other entertainment of any nature is permitted.
- f. No cover charge shall be permitted in connection with the music.
- g. All doors and windows in the restaurant area shall be kept closed during the performance hours except for normal ingress and egress of restaurant patrons.
- h. The playing of exterior music shall not be played using any amplification device(s) and shall be performed only in one hour increments.
- i. Prior to this license being effective, the applicant shall obtain a written document from the building department demonstrating to the satisfaction of the building department the legality of the existing restaurant use as a non-conforming use.

2. Pursuant to Village Code §50-8, the License granted herein shall be effective from the date of issuance to January 31, 2020, unless sooner terminated as provided herein or in Village Code §50-12.

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3. The License granted herein is limited to the applicant and the currently proposed use of the Premises. The License shall not be transferred or assigned to any person or used by a person other than the licensee to whom it is issued, nor shall the License be used for any location other than the premises stated in the License. Any change of ownership or in the operator of the restaurant or any change or modification of the use, even though the general nature of such modified use shall be similar or identical to the present use for a restaurant, shall require a reapplication to this Board.

4. With respect to the New York State Environmental Quality Review Act, the Board is the lead agency, the issuance of the License herein is a Type II Action under SEQRA, and no further environmental review is required.

On a motion by Trustee Maynard, seconded by Trustee Epstein and unanimously approved by those present, the resolution was hereby adopted.

Deputy Mayor Kevin McGilloway administered the oath of office to Michael Mandarino as Superintendent of Building Department.

Deputy Mayor McGilloway offered the following resolutions for adoption:

RESOLUTION NO. 11, YEAR 2017

RESOLVED, that in accordance with the laws of the State of New York, the Incorporated Village of Sea Cliff will hold a tax lien auction sale on Friday, March 24, 2017, at 10:00 am in the Village Hall upon all real property within said Village where full payment of Village Taxes for the 2016-2017 tax year has not been paid; and be it further

RESOLVED, that the Village Treasurer be, and she is authorized and directed to place the appropriate legal notices in the “Gold Coast Gazette”, the official Newspaper of the Village, listing such parcels in accordance with the laws of New York State.

Seconded by Trustee Epstein and unanimously approved by those present.

On a motion by Trustee Epstein, seconded by Trustee Maynard unanimously approved by those present, the minutes of January 30, 2017 and February 6, 2017 were hereby approved.

Trustee Vitale moved the following Abstracts for approval:

Abstract 1.02.2017 in the amount of \$122,688.87
Abstract 2.01.2017 in the amount of \$6,367.32

Seconded by Trustee Maynard and unanimously approved by those present.

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Public Comment:

- Request for update on lawsuit filed against Glen Cove
- Questions regarding American Water service charge
- Date for Grievance Day
- Concerns regarding Airbnb in resident's neighborhood
- Time frame for cleaning sidewalks after snowstorm

Meeting adjourned at 8:15pm.

Patricia Guy
Deputy Village Clerk